

Section 7 Site Plan Review

7-A. Purpose and Intent. It is in the Town's interest to promote functional and aesthetic design, construction, and safe maintenance of all development and to minimize any harmful effects on surrounding areas, while simultaneously respecting the provisions of M.G. L. c. 40A sec. 3. The intent of the Site Plan Review process is to regulate rather than prohibit uses through reasonable conditions that may be required by the Planning Board concerning location of buildings, signs, open space landscaping, parking areas, storage areas, access and egress, drainage, sewage, water supply, and fire safety.

7-B Applicability. Site Plan review is required for:

- (1) all new multi-family, commercial and industrial construction, and all multi-family, commercial and industrial additions (including outbuildings), alterations or reconstruction exceeding 500 gross square feet or an expansion of the current building footprint by not more than two-percent (2%) whichever is the greater;
- (2) construction or creation of any new parking lot or the expansion, or redesign of an existing parking lot with more than six (6) parking spaces;
- (3) creation of all outdoor storage areas for vehicles, machinery or supplies, or expansion of existing areas by more than 5%;
- (4) all uses requiring a special permit, except one and two family residences; and
- (5) municipal uses and institutional uses shall also be subject to Site Plan review consistent with the criteria in subsections (a) through (d) above,.

7-C Relationship to Special Permit Process. When a project requires both a special permit and site plan review by the Planning Board, in order to expedite the review process, shall consider both requirements as part of one public meeting or extensions as required. Within the prescribed review period for a special permit, the Planning Board shall take all actions relative to the proposal regarding site plan review and special permit conditions. In all instances, projects requiring a special permit shall be required to conform to the standards and criteria for a full site plan review, see sections 7G and 7H.

7-D Relationship to the Building Permit. The Building Inspector shall not issue a building permit unless and until a Site Plan review has been reviewed and

approved for all applicable development. In the instance of a full site plan review; no building permit shall be issued until a letter with Site Plan conditions, if any, has been forwarded to the building inspector by the Planning Board. Further:

(1) No occupancy permit shall be issued for any activity or use within the scope of this section unless a Site Plan has been approved, and constructed in accordance with the approved Site Plan.

(2) No activity within the scope of this section shall be carried out without an approved Site Plan. Any work done in deviation from an approved Site Plan shall be a violation of this Bylaw, unless such deviation is approved in writing by the Planning Board. The Planning Board shall review the request for deviating from the approved site plan and make findings that the public health, safety, and public utilities will not be adversely impacted and that the proposed deviations are not a significant detriment to the achievement of any of the purposes set forth in this section.

(3) Approval of a Site Plan under this section shall not substitute for the requirement of obtaining a special permit or other forms of relief as required by the Zoning Bylaw.

7-E Site Plan Review Responsibility. The Planning Board shall be designated as the body responsible to review and approve site plans. Further, the Planning Board may request assistance of architects and engineers and other professionals during its deliberations consistent with peer review procedures and guidelines established by the Commonwealth.

7-F Limited Site Plan Review. Any person desiring approval for a limited site plan review under this section shall submit a time stamped project description to the Building Inspector or designee for a determination as to whether the development plan qualifies for a Limited Site Plan Review. It shall be the responsibility of the applicant to prepare a project description that accurately conveys the nature, scale, conceptual design or layout, and the general physical, operational relationship of the proposed project to the surrounding area, and any additional information the applicant may deem pertinent. As part of the project description submission the applicant may request waivers from site plan submission criteria listed in Section 7-I that the applicant believes is not germane to the proposed development.

Within 10 days of receipt of the project description, the Building Inspector or designee shall make a decision regarding the applicability of limited or full site plan review, and a decision on any requested waivers from site plan conditions or submission materials. At any time during the 10-day period the Building

Inspector may request additional information from the applicant, and to facilitate the acquisition of said materials the Building Inspector may grant a one time extension of up to 10 days.

The Building Inspector or designee may consult with the Town Planner and Town Engineer or any other applicable town officials or departments. Further, the Building Inspector or designee shall put in writing the reasons waivers that may be granted, and said waiver decision shall be made part of the site plan application. The decision to grant waivers shall be subject to but not limited to the following: existing man made site conditions, existing natural conditions, the limited scale of the proposal, limited lot size, and pre-existing and germane site data. If a decision regarding the applicability of limited site plan review is not made within 10 days, the application shall be deemed subject to a limited site plan review, and the 21 day limited site plan review period shall commence. Applications that qualify for limited site plan review shall not require an endorsement of the Planning Board unless relief is requested.

Applications for Limited Site Plan Review shall be deemed appropriate for review if either of the following two conditions is satisfied and the proposed use is allowed by right:

- (1) The proposed building or addition has a gross area of not more than 2,500 square feet or less.
- (2) The proposed addition or new building would result in the creation of not more than six parking spaces or an increase of less than 10% in the current parking capacity, whichever is greater.

Further, no application for a limited site plan review will be approved if the property and/ or buildings in question have been approved for a limited site plan review for on site development or improvements within the previous ten years.

If the application is determined to be consistent with the limited site plan review criteria, the Building Inspector or designee shall notify the applicant, and upon written notification the 21 day limited site plan review period shall commence, see section 7-J for site development standards.

Within 21 days of the decision regarding the approval of a limited site plan review process the Building Inspector shall approve the application as submitted or approve with conditions. The Building Inspector or designee may consult with other town departments, as he or she deems necessary. However, lack of comments from other Town Departments shall not cause the review period to be extended.

However, during the 21 day review period for limited site plan review, if the Building Inspector or designee finds that a particular proposal, regardless of size or parking expansion characteristics may create significant public safety problem the Building Inspector or designee may require a Full Site Plan Review, with or without waivers from the full site plan review submission criteria, see Section 7-H. In said instance, the Building Inspector or shall put his or her reasons in writing, and said document shall be made part of the site plan submission materials for full site plan review.

7-G Full Site Plan Review Submission and Review Procedure

1. The applicant shall submit nine (9) copies of said plan with application for approval thereof, including a Town of Walpole Development Impact Statement, and review fee directly to the Planning Board. Upon receipt of the application and associated material the Planning Board shall time stamp the request for Site Plan Review Application. Neither the time stamping nor the site plan review shall take place until all required materials have been submitted. The Planning Board, within 5 days, shall be responsible for distributing one copy to each of the following; the Conservation Commission, Engineering Department, Town Planner, Building Inspector, Board of Health, Police Chief, Fire Chief, and the Board of Sewer and Water Commissioners. All town departments listed above shall have 35 days to submit comments to the Planning Board, failure of any local department to respond within the 35 day period shall not preclude the Planning Board (SPRC) from proceeding with the Site Plan Review schedule.
2. The Planning Board shall hold a public project meeting with the applicant no later than 35 days after submission of the proposed Site Plan to the Planning Board.
3. The Planning Board shall hold as many meetings as necessary within a 65-day review period to review the proposal. However, no later than 65 days from the date of the submission, the Planning Board shall provide its site plan decision in writing to the Building Inspector, except that at the request of the applicant the Planning Board may grant an extensions of the review period. At the conclusion of the 65-day review period or an extended review period, the Planning Board shall approve the application as submitted or approve with conditions. A majority vote of the full Planning Board shall be required to approve all site plans and site plan review conditions.
4. If no action is taken within 65 days or during the extended review period, the application shall be deemed approved as submitted.
5. One copy of the approved Site Plan shall be provided each to the applicant, and to the Town Engineer and the Building Inspector. Further, one copy, in an

electronic media format acceptable to the Town, shall also be provided to the Town Engineer.

6. An As-Built Plan and a letter of certification shall be submitted to Building Inspector, prior to the granting of an occupancy permit, by a Registered Engineer, Registered Architect, Registered Landscape Architect or Registered Land Surveyor, or combination thereof, as appropriate. Said certificate shall indicate, that all work has been done substantially in compliance with the approved Site Plan, or any modifications to the site plan as approved by the Planning Board, see Section 7-D(2)

7-H Full Site Plan Review Submission. The Site Plan shall include one or more appropriately scaled maps, but not to exceed one inch equals forty feet, and stamped by a Registered Engineer, Registered Architect, Registered Landscape Architect or Registered Land Surveyor, as appropriate to the work involved, except that the water and sewer portion of the Site Plan must be stamped by a Registered Engineer. At minimum, a Site Plan submission shall include the following as applicable:

- 1) Cover letter describing the nature and location of the project and the site, including a legal description of the property, complete dimensions and area, the zoning classification(s) that apply to the property, assessor's map and lot numbers, and the name and address of the property owner and the applicant, if different from the property owner.
- 2) Parcel lot lines for the proposed project and surrounding parcels, and a locus plan at a scale of 1 inch per two hundred feet.
- 3) Complete parking and traffic circulation plan, if applicable, showing location and dimensions of parking stalls, driveway openings, dividers, islands, bumper stops, required buffer areas and planting beds.
- 4) Proposed surface treatment of paved areas and the location and design of drainage systems with drainage calculations prepared by a registered engineer.
- 5) Location of existing and proposed buildings and public or private ways on the project site, including all public and private easements.
- 6) Height and use of all buildings abutting the proposed project, including a building or buildings directly across from the proposed project but separated by a public or private right of way.
- 7) Estimated average daily traffic and peak hour traffic to be generated by the proposal. Further, a traffic impact plan indicating impacts, if any, to surrounding intersections servicing the project site if the proposed project generates more than 500 vehicular trips per day. The determination of traffic generation rates shall require professional analysis standards prepared by the Institute of Traffic Engineers (ITE) or any similar professional organization acceptable to the Planning Board.

- 8) Rendering of all elevations of proposed buildings and structures.
- 9) Location, size and type of signage.
- 10) Foundation lines of the proposed buildings, gross floor area, and building height
- 11) Location of solid waste containers, which shall be screened.
- 12) Existing and proposed topographical contours of the property taken at two-foot (2') contour intervals by a registered engineer or registered land surveyor.
- 13) The location of wetlands, streams, water bodies and other natural features located on the property or within 100 feet of the perimeter of the site.
- 14) Areas subject to a 100 year flood, if any.
- 15) Existing and proposed utilities and storage facilities, including sewer connections, septic systems, wells and any storage tanks, noting applicable approvals, if received.
- 16) Lighting plan showing the location, height, direction, and intensity of existing and proposed external light fixtures.
- 17) A landscaping plan showing the location, name, number and size of plant types, and the locations and elevation and/or height of planting beds, fences, walls, steps and paths of the existing site and proposed site plan including the screening proposed for any tanks, solid waste or utility related structures.
- 18) Location of all required open space.
- 19) Location and type of all historically significant structures, historic walls or similar features, including an indication of their protective status, if any.
- 20) Location of all water resource protection areas if any portion of the size lies within 1,000 feet of a DEP approved or interim groundwater or surface water protection zone.

Additional information may be required by the Planning Board, as reasonably necessary, to make determinations required by this section of the bylaw.

7-I Site Plan Review Criteria. At minimum, the Planning Board shall review all Site Plans for the following:

- 1) Consistency with the design and character of the surrounding area, such as but not limited to height, mass, setbacks, and traditional building materials.
- 2) Consistency with the Site Development Standards of this bylaw.
- 3) Consistency with any sign or design guidelines, landscaping and buffering requirements issued by the Planning Board.
- 4) Consistency with the Walpole Master Plan and with the most recent Open Space and Recreation Plan.
- 5) Protection and enhancement of important existing site features, natural and man-made.

- 6) Protection of adjoining premises against detrimental uses by provision of surface water drainage, sound and light barriers, preservation of light and air, noise impacts, and preservation of views when possible.
- 7) Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic and/or adjacent streets, see Section 7-H(7)
- 8) Adequacy and arrangement of parking and loading spaces, and the ability of the Site Plan to accommodate parking in areas other than the front of the building.
- 9) Consistency with all applicable dimensional regulations of the Zoning Bylaws.

7-J Site Development Standards. Applicants for both Limited and Full Site Plan Review must make every reasonable effort to achieve consistency with the following site development standards:

- 1) Conserve and protect natural features that are of some lasting benefit to the site, its surrounding area and the town at large.
- 2) Protect slopes in excess of fifteen (15%) percent against erosion, runoff, and unstable soil, trees and rocks. Appropriate measures shall be taken to stabilize the land surface from unnecessary disruption. Stabilization measures shall be the responsibility of the property owner.
- 3) Buildings, structures, fences, lighting, and fixtures on each site shall be placed so as to not interfere with traffic circulation, safety, appropriate use and enjoyment of adjacent properties.
- 4) All roadway and driveway design shall take into consideration safe sight distances at intersections and along all traveled ways, in accordance with appropriate AASHTO requirements. As much as possible, clear sight distances shall take into account topography, density of dwelling units or intensity of use, and horizontal and vertical alignment.
- 5) Provide adequate illumination of parking lots and other areas for vehicular and pedestrian circulation. In a residential district, no freestanding illumination devices shall be installed to a height exceeding fifteen (15') feet. All illumination shall be directed and/or shielded so as not to shine beyond the perimeter of the site or interfere with traffic.
- 6) All areas designed for vehicular use shall be paved in accordance with the roadway and parking lot design standards the Town of Walpole.
- 7) All utility service transmission systems, including but not limited to water, sewer, natural gas, electrical and telephone lines, shall, whenever practicable, be placed underground.
- 8) All surface water runoff from structures and impervious surfaces shall be collected on site, but in no case shall surface water drainage be directed across sidewalks or public or private ways. In no case shall surface water runoff be drained directly into wetlands or water bodies. Drainage systems shall be designed using Best Management Practices to minimize the discharge of

pollutants. Oil, grease and sediments traps to facilitate removal of contaminants *may* precede all such drainage structures.

7-K Site Plan Review Fees. The Planning Board shall adopt site plan review fees for full and limited site plan review, and for modifications to an approved site plan. The limited site plan fee and modification of site plan review fee shall be less than the fee charged for full site plan review. All site plan fee information shall be available at the Walpole Planning Board. Further, the Planning board shall require, as it deems necessary, the peer review of any or all reports and documents submitted by the applicant. The applicant shall be required to fund all peer review studies consistent with the requirements established by the Commonwealth of Massachusetts.

7-L Appeals. Applicants for a Site Plan review for projects allowed as of right may appeal any conditions approved by the Building Inspector as part of limited site plan review or Planning Board as part of a full site plan review to the Walpole Board of Appeals within twenty (20) days after the written site plan decision has been issued.

7-M Modification of Site Plan. The Planning Board shall have the power to modify or amend its approval of a site plan on application of the person owning or leasing the premises in the event of changes in physical conditions sufficient to justify such action within the intent of this section. All of the provisions of this section applicable to approval shall, where apt, be applicable to such modification or amendment.